

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Christopher Fournier

v.

Civil No. 08-cv-338-JD

Warden, Northern New Hampshire
Correctional Facility

O R D E R

Christopher Fournier seeks habeas corpus relief pursuant to 28 U.S.C. § 2254. After the warden filed a motion for summary judgment, the court appointed counsel to represent Fournier due to his lack of access to materials for legal research. On November 17, 2009, Fournier's appointed counsel filed a "Notice of Motion and Affidavit in Support of a Motion to Grant Counsel an Additional Thirty Days to Submit a Response to Respondent's Motion for Summary Judgment" in which counsel stated that he would file a motion "at a date and time convenient for the court." To date, no motion for an extension of time has been filed. The warden has not responded to the "notice."

The court deems the notice to be a motion for an extension of time to file a response to the warden's motion for summary judgment. The request is granted.

Conclusion

For the foregoing reasons, the plaintiff's motion for an extension of time (document no. 40) is granted. The plaintiff shall file his response to the defendant's motion for summary judgment on or before **January 11, 2010**.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

December 10, 2009

cc: Harry C. Batchelder, Jr., Esquire
Stephen D. Fuller, Esquire
Elizabeth C. Woodcock, Esquire